

OFFICIAL MINUTES OF THE MEETING
GOODLETTSVILLE PLANNING AND ZONING COMMISSION

April 3, 2017
5:00 PM

Goodlettsville City Hall
Massie Chambers

Present: Chairman Tony Espinosa, Vice-Chairman Jim Galbreath, Mayor John Coombs, Commissioner Jeff Duncan, David Lynn, Jim Hitt, Scott Trew, Jerry Garrett, Judy Wheeler, Grady McNeal

Absent: Bob Whittaker

Also Present: Addam McCormick, Greg Edrington, Tim Ellis, Commissioner Zach Young, Mike Bauer, Rhonda Carson and others

Chairman Tony Espinosa called the meeting to order and Jerry Garrett offered prayer.

Addam McCormick, Director of Planning noted Item #6 on the agenda had been withdrawn by the applicant. With no other changes, Mayor Coombs made a motion to adopt the agenda. Mr. David Lynn seconded the motion. Motion passed to adopt the agenda, 11-0.

Mr. David Lynn moved for approval of the minutes from the March 6, 2017 meeting as written; seconded by Mr. Grady McNeal. Motion passed 10-0.

Item #1 {PUBLIC HEARING}

Comprehensive Land Use Plan Amendment: Planning and Development Services Staff requests the 71.23 Acre property between French Street and Harris Street be changed from a Residential Development Low Density designation to a Residential Development Medium Density designation and a portion of the property be changed to a High Density and Commercial Development designation. Property referenced as Davidson County Tax Map/Parcel# 02500005800

Staff advised that this is a public hearing regarding a request that Staff received on the 73 acre tract of property, adjacent to the Memorial Drive/ French Street intersection. Currently it is zoned agricultural and the request is for possible future development of this property. Under the current Comprehensive Land Use Plan for this area, this land is designated low density residential. Addam McCormick, Director of Planning and Development Services advised that the current low density use appears to be counterproductive to both the Town Center and Main Street projects, which the City Staff is currently working on. Staff advised that this item is to change the land use designation from a low density designation, to a medium density designation. Staff advised that medium density would allow for two (2)-four (4) units per acre with possibly some smaller areas being used for higher densities, such as condos and commercial properties. These would be located in the area of Memorial Drive and French Street. Staff clarified that this is not a rezoning request, it is only a request to change the land use plan for this area from low to medium density at this time. Commissioner Duncan asked if the currently adopted land use plan had any medium density already adjacent to this property. Mr. McCormick advised that there was, and it is in the area behind McCoin and Moncrief and that Rosehill Drive neighborhood is low density.

Chairman Espinosa opened the meeting up for public comments on this item. Jim Galbreath stepped away from his position as Vice Chairman of the Planning Commission, and stood at the podium to speak in his capacity as a private citizen of the City of Goodlettsville. He stated that he was very concerned with the additional traffic that this new development would impose on the residents, and businesses of this area. Mr. Galbreath presented the 2004 streetscape plan for this area, and stated that his concern was that the traffic in this area has greatly changed since 2004. He recommended that the Planning Commission consider this before any further development is considered for this area. City Engineer Greg Edrington replied to this comment. He stated that if the development is approved in the future, the development will have to have a connection other than through Memorial Drive. He stated that the traffic pattern would be specifically through the Harris Street area, connecting to Main Street and Rivergate Parkway. Mr. Edrington stated that a traffic study also would be part of the prequalification's that would be required for development. Mr. Garrett asked if a right of way was already in place to connect to Harris Street. Mr. Edrington stated that it is an easement, but topographically, it is in a bad location. Mr. Galbreath stated that he wanted it clarified that he was specifically concerned with the traffic on Dickerson Road/Main Street. Mr. Garrett stated that for a number of years the City Commission has endeavored to find a use for this property, and made contacts with several big box stores which would have created much more traffic in this area than the medium density land use before the Planning Commission currently.

City Resident, Mr. Bennie Lane addressed the Planning Commission, and stated he owns property on Rosehill Drive that backs up to this property. He stated that he wanted to bring two concerns before the Commission. The first being the development of the property and the lack of information provided to the residents, other than what was put in the local paper. Mr. Lane stated that the current zoning map shows property listed as agricultural. Mr. Lane stated that he felt it was improper to rezone this without proper notification to all the adjoining property owners, especially in light of the new proposed traffic flow to Harris Street. Mr. Lane stated that he did not agree with taking the property down to anything less than R-25 in this area. Commissioner Duncan asked Staff to define exactly what a land use plan was for. Staff reiterated that the item before them tonight was not a rezoning request. He stated that in 2008, the City developed a Comprehensive Land Use Plan which is a future guide for growth within the city. Staff followed the state law on the notification requirements to amend this plan, a notice was placed in the Ledger 30 days prior to the meeting, to give the required notice. Staff advised that this property is an important part of the future town center plan and that the agricultural designation for this property was not in line with future plans for the area. Staff advised that if the future development does proceed, the next step would be for them to come before the Commission with an official rezoning request for this property other than the current agricultural designation. Staff advised if the land use plan were changed to the requested medium density, it would be more in line with what the City has envisioned for this area. Staff did clarify that all the property in the Rosehill area is currently zoned R-25.

Mr. Hitt asked staff for clarification on the remark that medium density was requested, but that this property would average out to allow for condos and apartments. Staff replied that the goal would be to have medium density for the total maximum density zoning of the property, but

would allow for condos in the interior, with single family dwellings along the exterior edges of the property. There would also be a possibility of commercial in the area of the Memorial Drive and French Street intersection, as well as commercial with residential above it. Chairman Espinosa asked for clarification on what medium density consist of. Staff advised that medium density is three (3) to four (4) units per acre and that Staff felt this would blend in with the existing residential in the area, better than a high density designation for this property.

Ms. Paulette Biggers, who lives at 2311 Luster Road spoke to the Commission members, and advised that her parents own the property currently under discussion. She stated that they have had previous offers to buy the property, but the offers were single use proposals and did not seem to be the best use for the property. She stated that they were looking for a usage that would complement the City of Goodlettsville and would like it to be a residential use that would blend with both the adjoining residential area and the city's downtown area.

Mr. Michael Robinson addressed Commission members on behalf of the Gourley Family Trust at 107 Memorial Drive (Liz's Café). He stated that he is an adjoining property owner and would like to be notified of any future proposals of development of this property. He stated that his biggest concern is how the development will affect water runoff in the area. He stated that his property on Memorial Drive is in the flood plain and that the small creek that runs along Memorial Drive cannot hold anymore runoff water from future development. City Engineer Greg Edrington advised that the City currently is involved in a drainage basin study for this area. He advised that anything that is developed on this site will be done in accordance with the drainage plan.

Mr. Garrett then asked Staff if it would be feasible to develop this property into low density, taking into consideration the properties steep terrain and large amount of rock, or is medium density the best use for this location. Staff advised that the goal is to connect Memorial Drive to Harris Street. Due to the rock wall along this proposed path, the street would have to be designed with no lot frontage, due to the current rock walls and terrain. Staff stated that medium density would be required to make up for this loss of frontage along the required access road. Mayor Coombs stated that this is one of the larger tracks left to be developed in our city. He encouraged fellow Planning Commission members to consider the change to the land use plan so it would be consistent with the vision of the City for this area. Mayor Coombs stated that he also had a concern with drainage in this area, and charged the Planning Commission as well as the City Staff to address this. Mayor Coombs also stated that should the Comprehensive Plan be changed, he would like to see the integrity of the adjoining residential property owner's lots protected by making the perimeter homes single family dwellings, as opposed to any townhomes being in the perimeter area. He stated that the connector street would need to be a good quality street with a connector from Memorial to Harris Street, which is a major component to the Main Street Plan. Mayor Coombs stated that he did not feel it was correct for driveways to directly connect to this street, as it will be a major connector road as opposed to a residential street. Mayor Coombs requested that this site be designed as a Residential Planned Unit Development (PUD).

Mr. Douglas Richardson, property owner at 105 Memorial Drive addressed the Commission members. He stated that since 1972 he has had flooding issues in the area of the creek behind his building. He stated when the flooding occurred in 2010, he had 9” of water flowing around and past his building, above what was in the creek to the rear. Mr. Richardson stated that he feels the drainage pipe under Memorial Drive is too small, which causes the backup of water during heavy rain events. Mr. Richardson stated that his main concern is the drainage in the area, and how new development is going to affect the current drainage that is currently not sufficient for the area.

Mr. Carl Albrecht, property owner at 301 Rose Hill Drive addressed Commission members. He resides on the six acres that adjoins this property to the west. He stated that he understands the property is going to be developed at some point, and appreciates the Planning Commission going slow and doing the proper studies to ensure the development will be good for the area. He requested that the Commission members be aware of the green space and try to keep as much of the green space, possibly by letting the park expand onto this property. He advised that keeping some green space in the middle of town is a strong appeal to people that want to reside here.

Chairman Espinosa asked that the City be proactive with the drainage issues in this area. He asked staff if there is a way to look at the proposal before them tonight, as well as take in the concerns of the residents who spoke to the commission during the public hearing. Mr. Edrington spoke of the drainage and stated that currently the entire drainage basin in our urban area is being looked at. He stated that they are trying to get a comprehensive drainage plan in place so that any future development will have to comply with that plan. Jerry Garrett stated that they are not approving any development at the current time, and if any development is proposed for the future, it would be up to the Planning Commission to make sure it is correct, and the only item before them currently is to change the Comprehensive Land Use Plan. Staff concurred and stated that should any future development come in for this property, developing it as a planned unit development would assist in addressing the drainage concerns. City Manager Tim Ellis spoke and advised Commission members that four years ago the city gave the property owners the right of way so this property was not land locked and could be sold. The purpose of this right of way allotment was to create a connection between Memorial Drive and Harris Street. Mr. Grady McNeal asked commission members if it would agreeable to hire an architect, instead of having a comprehensive plan to develop and bring a design before the City for this parcel of land. Chairman Espinosa stated that he agreed that when it reached the point of development an engineer or architect would present a development plan to the Commission for approval. Commission Duncan encouraged the City Staff to be open to any joint off-site opportunities on future developments that may come available to improve infrastructure or drainage.

Mr. Jerry Garrett made a motion that the 71.23 acres between French Street and Harris Street be changed from residential development low density to residential development medium density on the Comprehensive Land Use Plan. Mr. Scott Trew seconded the motion. Before the vote was taken, Mayor Coombs stated that the item on the current agenda related to medium density but also states high density commercial. Addam McCormick advised that the goal was to go with medium density, with the understanding some smaller sections could be higher density

commercial but the total maximum density would be per the medium density. Mayor Coombs stated that, should someone come in with a commercial section to the medium density area, he would prefer it to be in the form of a Planned Unit Development. Chairman Espinosa stated that the motion was made for medium density only and that will be how the motion would stand. The motion passed 9-1, with Vice Chairman Galbreath voting to deny the motion.

Item #2 Allen Road Plan of Services /Property Owners/Victor Banker: Request recommendation to the City Commission for the plan of services for the annexation of 86.11 acres on Allen Road and 1,150 feet of Allen Road improvements and right-of-way from Old Stone Road to the boundary of parcel 33.00. Properties include Sumner County Tax Map 139 Parcels 61.00 /317 Allen Rd (38.88 acres) and 62.01/319 B Allen Rd (19.73 acres) and Sumner County Tax Map 143, Parcel 33 (27.50 acres). Property Owners: Rodney W. Swearingen, Susan and Charles Wilkinson, and Nigar A Enayat.

Staff reviewed. Mr. McCormick stated this request is for annexation of three (3) lots requested by the property owners. He reviewed the property and showed it to be 86.11 acres on Allen Rd. He reviewed each property and showed that the properties are connected and adjoin Copper Creek across Allen Road and a section of Allen Road right of way is included in the annexed area. He discussed the proposed annexed area is within the City's Sumner County Urban Growth Boundary, which was adopted in 2000, and is set aside as Low Density Residential (one-two lots per acre) according to the Comprehensive Land Use Plan.

Mr. McCormick stated that by state law, property owners could request annexation by written request, which all three property owners have submitted.

He stated that the request is for annexation in the City's Urban Growth Boundary, and Allen Road is an extension of this. He stated, this Planning Commission reviews a plan of services recommendation to the City Commission and does not make any final decision on this request. The plan of services defines the timeline for extension of city services, and is required by state law for all annexed properties. He discussed plan of services to the proposed annexed area:

- * Extend roadway maintenance (immediately upon annexation)
- * Police and fire extended to this area (immediately upon annexation)
- * Solid waste collection (180 days or less from effective date of ordinance)
- * Timeline for street lights/street signs extended to this area (within a year upon annexation)

He noted, that plan of service will include service for one (1) existing house on the property, and discussed that City Commission may review allowing White House Utility District (private service) to provide sewer service in addition to water service for the proposed annexed area.

Mr. McCormick clarified for Commissioner Duncan that the goal at this point is to annex Allen Road to parcel 33 which will be the primary access point if future development should materialize. Commissioner Duncan asked if this property had been sold. Mr. McCormick stated the property owners requested the annexation. Tim Ellis, City Manager, stated it had not been sold since it originally went on the market.

Mayor Coombs expressed concern regarding future construction traffic entering from Allen Road. Mr. McCormick stated this access point seemed be the best solution for the first phases of any development and any future phases at the back of the property could be reviewed at that time.

Vice Chairman Galbreath asked if trash service would be included in the plan of services. Mr. McCormick stated it is included for the one house in the annexed area. Mr. McCormick also clarified the timeline of the plan of services. Mr. McCormick clarified for Chairman Galbreath why the owners were requesting an annexation with a condition. He stated the owners are interested in selling it to a prospective developer with the condition, if the deal falls through, they do not want it to be in the City and would want to rescind the annexation. He stated, Staff would be open to discussing this with the owners.

Jerry Garrett stated, in his opinion, you are either in or out, property owners either want to be in the City, or they don't.

Addam McCormick explained that the developer would not want to buy it without annexation for development, and the property owners are interested in selling to a developer instead of developing the property themselves.

Vice Chairman Galbreath asked, if the developer backs out of the deal, could the property be de-annexed after the fact? Mr. McCormick stated if the City Commission chooses, it could be de-annexed.

Jerry Garrett stated he is not on the City Commission, but he would not approve of that condition. Mr. Garrett then made a motion to recommend to the City Commission that this property be annexed without conditions.

Vice Chairman Galbreath stated that the topic on the table is for planned services, and is not sure any action can be taken on annexation.

Jerry Garrett withdrew his motion.

Tim Ellis, City Manager, stated he did not feel that the City Commission could approve an ordinance that has the condition that it could be de-annexed, but that is not to say, that the Board cannot go back later and do that. He said it is more of a legal question, but he did not think an ordinance can be passed that has this condition. He stated when it gets to the point of the City Commission reviewing, then it can be addressed. Addam McCormick clarified that it would have to be a formal action taken back.

Chairman Espinosa thanked Staff and Commissioners for the discussion and clarification. Mr. Jerry Garrett then made the motion to recommend this to the City Commission, the annexation of 86.11 acres on Allen Road as discussed, with the right of way from Old Stone Road to the boundary of parcel 33.00. Mr. David Lynn seconded the motion.

Before the vote was taken, Vice Chairman Galbreath asked for clarification concerning the motion; as to if the voting was for plan of services or annexation. Mr. McCormick stated that when you are reviewing plans of services, it is basically a review of the annexation as well.

After discussion, Jerry Garrett withdrew his previous motion and then made a motion to recommend to the City Commission the plan of services and annexation without conditions.

Vice Chairman Galbreath seconded the motion. The motion passed, 8-2, with Mayor Coombs and Commissioner Duncan voting no.

Staff noted that he would talk to the property owners before it went to the City Commission.

Chairman Espinosa called for a five minute break at 6:10.

Item #3 Allen Road Property Owners/Victor Banker: Request recommendation to the City Commission to designate the 86.11 acres of requested annexed area as R-25, Low Density Residential from the Sumner County RA, Rural Residential Zoning designation. Properties include Sumner County Tax Map 139 Parcels 61.00/317 Allen Rd (38.88 acres)

and 62.01/319 B Allen Rd (19.73 acres) and Sumner County Tax Map 143, Parcel 33 (27.50 acres). Property Owners: Rodney W. Swearingen, Susan and Charles Wilkinson, and Nigar A Enayat.

Victor Banker, prospective developer of the property, represented this request. Staff reviewed. Mr. McCormick stated the next step after annexation would be to recommend to the City Commission a zoning classification for the properties. The property is currently zoned Sumner County RA zoning designation. The City is required to define a City zoning designation for all annexed properties. The request is to designate the 86.11 acres as R-25, Low Density Residential. He stated under R-25 zoning, this property could develop 100-120 lots. He explained the surrounding areas zoning classifications and stated R-25 zoning is consistent with the intentions of the Comprehensive Plan established with the Urban Growth Boundary. Victor Banker stated the intentions for this development (86.11 acres) is to establish homes similar to the Bella Vista homes off of Willis Branch Road, and possibly a gated community. Mayor Coombs asked Mr. Banker if a Planned Unit Development is expected. Mr. Banker referred the question to Addam McCormick. Mr. McCormick clarified that at this time, the request is just for R-25 base zoning classification. He stated, to his understanding, their engineer may look at that possibility in the future. Mayor Coombs expressed that he would feel more comfortable with some type of Planned Unit Development component for the 86 acres. Mr. Banker said he understood. Addam McCormick clarified for Commissioner Duncan that this zoning classification request would need to move forward with the annexation request to the City Commission. He clarified for Jerry Garrett that if the zoning changed to R-25, the developer would have to come back for a formal request change to a Planned Unit Development. Mayor Coombs reiterated his thoughts on a Planned Unit Development concept to protect the City's best interest and give assurance that whomever the developer may be, they will be required to follow the particular plan that was approved by the City. After discussion, Mr. McCormick suggested, if the City feels the zoning would be more appropriate as a Planned Unit Development zoning and it moves forward to the City Commission, a stipulation could be included to come back with a master plan. Mr. Jerry Garrett made a motion to recommend to the City Commission, Low Density Residential Planned Unit Development (LDRPUD) zoning for this property with the condition that a master plan will be submitted after it is annexed and rezoned. Judy Wheeler seconded the motion. The motion passed unanimously, 10-0.

**Item #4 Copper Creek Section 2-Phase 5 /Ragan Smith Associates, Inc. /Meritage Homes:
Request approval of development improvement costs to be used for development bonding.
(9.1 #4-17)**

Staff presented the development improvement costs except water service improvements for the bond amount of \$971,216.75 at the time of the final subdivision plat recording for Copper Creek Section 2 Phase 5. Commissioner Duncan made a motion to approve the development approval costs to be used for development bonding as presented for Copper Creek Section 2 Phase 5. Mr. Jim Hitt seconded the motion. The motion passed unanimously 10-0.

Item #5 Copper Creek Section 2-Phase 6 /Ragan Smith Associates, Inc. /Meritage Homes: Request approval of development improvement costs to be used for development bonding. (9.1 #5-17)

Staff presented the development improvement costs except water service improvement for the bond amount of \$1,073,684.25 at the time of the final subdivision plat recording for Copper Creek Section 2 Phase 6.

Mr. Jim Hitt made a motion to approve the development approval costs to be used for development bonding as presented for Copper Creek Section 2 Phase 6. Scott Trew seconded the motion. The motion passed unanimously 10-0

Item #6 BUSFORSALE.COM LLC/John Spellings: Request site plan approval for a one acre recreational vehicle storage expansion area in an IR, Industrial Restrictive Zoning District adjacent to 813 Louisville Highway. Property is referenced as Sumner County Tax County Tax Map Parcel 15 containing approximately 16.50 acres. BCR Holdings LLC, Property Owner. {WITHDRAWN} (9.1 10-17)

Item #7 Denham Blythe Design/Build: Requests building design approval for a preliminary commercial development on Business Park Circle. Property is zoned GOPUD, General Office Planned Unit Development. Item previously discussed at October 3, 2016 Meeting. (9.1 11-17)

Vance Hohn with Denham Blythe represented this request.

Staff reviewed the previous discussion the Planning Commission had at an earlier meeting for building design approval of a preliminary commercial development (Denham Blythe) on Business Park Circle. He explained that their company is a design build contractor/engineer and to his understanding, this facility would be used mostly as an office space, not construction equipment storage. Mr. Hohn did clarify that the building in the rear facility would house some equipment, but it would all be internal and not large construction equipment.

Mr. McCormick reviewed that the first presentation of the design for this project included insulated aluminum wall panels and glass. He stated at that time, the City's design standards didn't specify them, but since then, the City amended the Design Guidelines to include provisions for the materials. He showed the proposed design and showed that it meets the provisions of the Design Guidelines since the building contains more than twenty-five (25%) percent brick. Mr. McCormick stated it was a nice quality building that would fit in with the surrounding area.

Mr. Hohn stated that future buildings could be added and hoped the brick used on this primary structure would be available in keeping with the design guidelines.

Mr. McCormick clarified for Chairman Espinosa that the request is to approve the concept design of the building so the project can move forward.

Mr. McCormick clarified for Commissioner Duncan that it falls within acceptable limits of our current design guidelines as follows:

- Exterior walls with aluminum insulated panels and glass may be permitted up to seventy-five (75%) of building walls when used in combination with brick, natural or masonry stone.

Motion made by Mayor Coombs to approve the concept design of the building given that it falls

within the guidelines which is acceptable for the design. Judy Wheeler seconded the motion. The motion passed unanimously 10-0.

Mayor Coombs and Staff discussed maintenance obligations of the fence surrounding the Northcreek Business Park area. Staff advised that it is typically the individual property owner's responsibility to maintain since there is no defined open space in these areas.

Item #8 Planning Commission By-Laws Amendment/Planning and Development Services Staff: Request amendments to include provisions for consent agendas, designation of staff as Commission Secretary, define a public comments section of the agenda, and define an applicant attendance procedure. {DEFERRED FROM MARCH 6th AGENDA}

Staff discussed and presented proposed amendments to include provisions for consent agendas, designation of Staff as Commission Secretary, define the public comment procedure for agenda items and a defined public forum section of the agenda. The amendments also include a definition regarding an applicant attendance procedure.

Motion was made by Judy Wheeler to include the provisions for consent agendas:

Designation of Staff as Commission Secretary

Defining the public comments and public forum section of the agenda

Defining the applicant attendance procedure

David Lynn seconded the motion. The motion passed unanimously 10-0

Note- Changes to By-Laws and Rules of Procedures are available for review in the City Recorder's Office at Goodlettsville City Hall.

Discussion Items:

Dry Creek Farms development master plan and proposal for a 116 multifamily Development on Dickerson Pike, and Robert Cartwright Road.

Staff noted that this discussion item was not a formal request and it was withdrawn by the prospective developer.

Staff shared that the City Commission is reviewing mobile food service units (food trucks) and the Planning Commission may help to define an ordinance to address this type of mobile business in the future.

Staff discussed sending letters to neighboring properties involved in zoning request, in addition to state law requirements that are currently in place for notification.

Mr. McCormick discussed Staff recommendation reports that are provided to the Planning Commission for each meeting and if staff and Commission should change the format or not?

Meeting adjourned at 6:44

Tony Espinosa, Chairman

Rhonda Carson, ECD Assistant